IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY_____ ___D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

MARINO CORTEZ GREEN,	Ⅹ	
	Ⅹ	
Plaintiff,	Ⅹ	
	Ⅹ	
vs.	Ⅹ	No. 03-2043-D/P
	Ⅹ	
REGIONAL MEDICAL CENTER,	Ⅹ	
	Ⅹ	
Defendant.	Ⅹ	
	Ⅹ	

ORDER DENYING REGIONAL MEDICAL CENTER'S MOTION TO DISMISS

On January 16, 2003, plaintiff, Marino Green filed a complaint under 42 U.S.C. 1983 against the defendant, Regional Medical Center. (Docket entry 1)   On January 5, 2004, the defendant, Regional Medical Center answered the complaint. (Docket entry 14) The answer of the defendant contains a one sentence motion to dismiss the complaint.
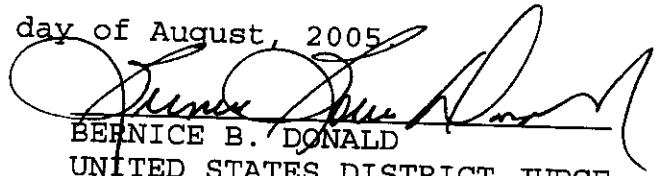
Construed as a motion to dismiss, defendant's answer does not comply with Local Rule 7.2(a)(1) which requires all motions be accompanied by a supporting memorandum of facts and law. Local Rule 7.2(a)(1) also requires that a motion to dismiss contain a brief statement of its bases. The Court cannot ascertain any basis for dismissal from defendant's single sentence request. Accordingly, the motion to dismiss is DENIED for defendant's failure to comply with Local Rule 7.2(a)(1). The defendant may,

This document entered on the docket sheet in compliance with Rule 58 and/or 79(a) FRCP on _____

after identifying a basis for dismissal and complying with the Local Rules of Court, file a proper motion to dismiss.

IT IS SO ORDERED this ___22___ day of August, 2005.

BERNICE B. DONALD
UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF TENNESSEE

Notice of Distribution

This notice confirms a copy of the document docketed as number 43 in case 2:03-CV-02043 was distributed by fax, mail, or direct printing on August 25, 2005 to the parties listed.

Marino Cortez Green
600 Poplar Ave
Memphis, TN 38105

Henry L. Klein
APPERSON CRUMP & MAXWELL, PLC
6000 Poplar Ave.
Ste. 400
Memphis, TN 38119--397

James F. Kyle
McLEARY DOMICO & KYLE, PLLC
100 Peabody Place
Ste. 1250
Memphis, TN 38103

Honorable Bernice Donald
US DISTRICT COURT